

MPP DEPARTMENT OF SOCIAL SERVICES  
NOTICE OF PROPOSED CHANGES IN REGULATIONS

ITEM # 2      California Food Assistance Program

ORD #1201-22

The California Department of Social Services (CDSS) hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held April 17, 2002, as follows:

April 17, 2002  
Office Building # 9  
744 P St. Auditorium  
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by telefax to the address/number listed below. All comments must be received by 5:00 p.m. on April 17, 2002.

CDSS, upon its own motion or at the instance of any interested party, may adopt the proposals substantially as described or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are also available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below.

CONTACT:    Anthony J. Velasquez, Chief  
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                 California Department of Social Services  
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## CHAPTERS

Manual of Policies and Procedures (MPP) Division 63 (Food Stamps), Chapter 63-400 (Eligibility Standards), Section 63-403 [California Food Assistance Program (CFAP)]

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Assembly Bill 429 (Chapter 111, Statutes of 2001) trailer bill was signed into law on July 26, 2001. A provision of this law amended Section 18930(b)(4) of the Welfare and Institutions Code. The amendment called for the repeal of the sunset date of September 30, 2001, that allowed eligibility to the California Food Assistance program for certain legal noncitizens that entered the United States on or after August 22, 1996. By repealing the September 30, 2001 date, these legal noncitizens will remain eligible indefinitely.

The current state regulations erroneously reflect a sunset date of September 30, 2000. This is due to an oversight from the last regulatory changes.

The section of the regulations that contains the federal eligibility criteria for the Food Stamp program is no longer necessary, and therefore, the regulations need to be changed accordingly.

## COST ESTIMATE

1. Costs or Savings to State Agencies: Additional expenditures of approximately \$6,776,000 in the current State Fiscal Year. It is anticipated that State agencies will be able to absorb these additional costs within their existing budgets and resources. Funding for the current year was included in the November 2001 Subvention.
2. Costs to Local Agencies or School Districts: None.
3. Nondiscretionary Costs or Savings to Local Agencies: No fiscal impact exists because this regulation does not affect any local entity or program. Local government does not share in the funding of this program.
4. Federal Funding to State Agencies: No fiscal impact exists because this regulation does not affect any federally funded State agency or program.

## LOCAL MANDATE STATEMENT

These regulations do not impose a mandate on local agencies or school districts. There are no state-mandated local costs in these regulations which require state reimbursement under Section 17500, et seq. of the Government Code.

## STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

## STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

#### ASSESSMENT OF JOB CREATION OR ELIMINATION

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

#### STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

#### STATEMENT OF ALTERNATIVES CONSIDERED

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

#### AUTHORITY AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Welfare and Institutions Code Sections 10553 and 18904. Subject regulations implement and make specific Welfare and Institutions Code Section 18930(b)(4).

#### CDSS REPRESENTATIVE REGARDING RULEMAKING PROCESS OF THE PROPOSED REGULATION

Contact Person: Anthony J. Velasquez (916) 657-2586  
Backup: Robin Garvey (916) 657-2586

#### CDSS REPRESENTATIVE REGARDING SUBSTANCE OF THE PROPOSED REGULATION

Program Contact: Bill Mullinax 657-3418  
Backup: Mike Papin 654-1880

#### EMERGENCY STATEMENT

These regulations are to be adopted on an emergency basis. In order to allow interested persons an opportunity to submit statements or arguments concerning these regulations, they will be considered at public hearing in accordance with Government Code Section 11346.4.

AGENDA ITEMS FOR THIS PUBLIC HEARING - April 17, 2002

- ITEM #1      ORD #0801-17 - Automated External Defibrillation Regulations
- ITEM #2      ORD #1201-22 - California Food Assistance Program
- ITEM #3      ORD #0801-16 - Incidental Medical Services Clean-up Regulations
- ITEM #4      ORD #1201-24   AB 1692 CalWORKs Amendments